



Table of Contents

| Prefa | ce | | . V |
|-------|---|---|---|
| 1.0 | Response 1.1 1.2 1.3 1.4 1.5 1.6 | The Office of the Deputy Secretary Heads of OPDIVs and STAFFDIVs The Director, OSDT The PSRs The HRCs The Immediate Supervisors | 1-1 1-1 1-2 1-3 1-5 |
| 2.0 | | on Risk/Sensitivity and National Security Positions - Guidance and dures Position Risk/ Sensitivity Level Designation Position Risk/Sensitivity Designation Documentation National Security Positions Access to Classified Information Public Trust Positions Non-Sensitive Positions | 2-1 2-1 2-2 2-3 2-4 |
| 3.0 | Inves 3.1 3.2 3.3 3.4 3.5 3.6 3.7 3.8 | tigation Requirements Waivers Special Agreement Checks (SAC) Prior Investigation Scheduling the Investigation Reinvestigation Requirements Contractor Investigations Child Care Provider Positions Quality/Process Assurance | 3-2 3-3 3-3 3-6 3-7 3-8 |
| 4.0 | Suital 4.1 4.2 4.3 4.4 4.5 4.6 4.7 4.8 4.9 | OPDIV or STAFFDIV OPM or Another Federal Investigative Agency OPM PSR OSDT Unfavorable Information The Criteria The Adjudicative Process The Adjudicator | 4-1 4-1 4-1 4-2 4-2 4-2 4-2 |



| | 4.10 4.11 | Due Process Procedures | |
|--|--|--|-------------|
| 5.0 | Secur 5.1 5.2 5.3 | ity Briefings5-1National Security Briefings5-1Refresher Briefings5-1Security Debriefings5-1 | 1 |
| 6.0 | Cleara 6.1 6.2 6.3 | ance Terminations, Downgrades, and Denials | 1 |
| 7.0 | Safeg 7.1 7.2 7.3 7.4 7.5 | uarding and Handling Investigative Reports7-1Favorable Background Investigation7-1Investigation Reports7-1Mail Transmission of Investigation Reports7-1Storage of Investigation Reports7-1Adjudication and Destruction of Reports7-2 | 1 1 1 |
| Apper | ndix A | - Waiver Example | 1 |
| Apper | ndix B | - Descriptions of Investigation Types | 1 |
| Term | s And [| Definitions | 1 |
| Acron | yms . | D-1 | 1 |
| List | of 7 | Tables | |
| Table Table Table Table Table Table | Nat Pub Pre Nor Risi | ition Risk/Sensitivity Levels | 245567 |



| Table 9. Security Questionnaires | 3-4 |
|---|-----|
| Table 10. Investigation Request Package | 3-5 |
| Table 11. Risk/Sensitivity Clearance Level And Reinvestigations | 3-7 |



Preface

This handbook is for Health and Human Services (HHS) officials, who have personnel security or suitability responsibilities. The handbook contains procedures and guidance for the Department's personnel security program, which is outlined in Personnel Instruction 731-1. It is to be used primarily by the staff of the Office of Security and Drug Testing (OSDT), Operating Division (OPDIV), and Staff Division (STAFFDIV) Personnel Security Representatives (PSRs). Employees in Human Resource Centers (HRCs), who schedule and adjudicate personnel background investigations, and Information Security Officers should use this handbook to assist them in handling their personnel security responsibilities.

The *HHS Personnel Security/Suitability Handbook* will be subject to review and update periodically by the Director, OSDT. Questions, concerns, requests, or suggestions should be directed to that office.

Immediate changes in procedures and/or requirements are brought to the attention of PSRs through written or automated memoranda. Changes to the handbook are made on a periodic basis.

The Director, OSDT must approve all revisions to the *HHS Personnel Security/Suitability Handbook*. When a new revision is approved, a new version of the *HHS Personnel Security/Suitability Handbook* will be issued and all affected parties will be informed of the changes made.



1.0 Responsibilities

The Personnel security/suitability responsibilities are as follows:

1.1 The Office of the Deputy Secretary

Under the authority delegated by the Secretary, the Office of the Deputy Secretary is responsible for:

- 1.1.1 Administering the Department's personnel security/suitability program in accordance with the provisions of Executive Order (EO) 10450 and 5 Code of Federal Regulations (CFR) Parts 731, 732, and 736;
- 1.1.2 Deciding whether to approve the waiver of the required pre appointment investigation of an individual who is going into a highly sensitive National Security (Level 3) or high risk Public Trust (Level 6) position; and
- 1.1.3 Retaining jurisdiction over all personnel security cases, prior to submission to the Secretary, involving a potential determination that any employee should be suspended, reassigned, or terminated in the interest of the national security.

1.2 Heads of OPDIVs and STAFFDIVs are responsible for:

- 1.2.1 Determining the sensitivity level of all positions within their areas of responsibility and making sure required background investigations are conducted;
- 1.2.2 Establishing effective methods for making certain that consistent, timely, and equitable adjudicative determinations are made on all personnel security/suitability cases involving their employees and contractors, consultants, and experts;
- 1.2.3 Referring loyalty or national security matters to OSDT for evaluation and/or investigation; and



1.2.4 Designating an official to serve as their PSR to handle those responsibilities listed in the *HHS Personnel Security/Suitability Handbook*.

1.3 The Director, OSDT

Under the general direction of the Deputy Secretary, the Director, OSDT, is responsible for:

- 1.3.1 Overseeing and evaluating the HHS personnel security/suitability policies and programs;
- Developing, implementing, and evaluating Departmental personnel security/suitability policies and programs;
- 1.3.3 Providing program improvement recommendations through periodic assistance and evaluation visits to OPDIV and STAFFDIV offices to ensure that the basic responsibilities of EOs 10450 and 12968; 5 CFR 731, 732, and 736; and Departmental personnel security and suitability directives are being met;
- 1.3.4 Providing consultation, advice, and written instructions or guidance relating to the Department's personnel security/suitability program, to include the *HHS Personnel Security/Suitability Handbook*;
- 1.3.5 Establishing and maintaining personnel security files for HHS employees and contractors, consultants, and experts in National Security and Public Trust positions;
- 1.3.6 Requesting personnel investigations from the Office of Personnel Management (OPM) when required for employees, contractors, consultants, and experts in National Security and Public Trust positions;
- 1.3.7 Adjudicating reports of investigation that are favorable and do not require referral to a PSR;
- 1.3.8 Forwarding reports of investigation to PSR for review and adjudication, when unresolved issues are present;



- 1.3.9 Issuing security clearances to HHS employees, contractors, consultants, and experts based upon an identifiable need and a favorable report of investigation; and
- 1.3.10 Establishing internal OSDT operating procedures in accordance with OPM policy and 5 CFR Part 736 for the handling and safeguarding of sensitive unclassified reports of investigation to protect the interests of both the individual and the Department.

1.4 The PSRs are responsible for:

- 1.4.1 Ensuring that correct and consistent position sensitivity designation codes for their OPDIV or STAFFDIV positions are shown on personnel and security forms requiring their review;
- 1.4.2 Submitting to the Director, OSDT, any request for a waiver of a required preappointment investigation and requests for required investigations and reinvestigations of employees, applicants, appointees, contractors, consultants, and experts who will be or are occupying National Security or high risk Public Trust positions;
- 1.4.3 Initiating required requests for National Agency Check and Inquiries plus Credit (NACIC) investigations directly to OPM on all appointees to Public Trust (Level 5) positions only and forward copy of page 1 to OSDT;
- 1.4.4 Adjudicating reports of investigation provided by the Director, OSDT, or OPM, to resolve personnel security/suitability issues; or delegating the adjudication responsibilities to the HRC or other designated official;
- 1.4.5 Completing and returning the Report of Agency Adjudicative Action (OPM INV Form 79A), within 90 days, to OPM and forwarding a copy to OSDT, if requested;
- 1.4.6 Forwarding the Certification of Investigation notice and any approved waiver request to the HRC for required filing in employee's Official Personnel Folder (OPF);



| 1.4.7 | Adjudicating the NACIC reports of investigation on individuals in Public Trust (Level 5) positions and forwarding a copy of certification to OSDT; |
|--------|---|
| 1.4.8 | Make certain that when adverse actions are considered, that due process procedures are followed and that such actions are coordinated with the HRC, supervisor, and Office of General Counsel (OGC) attorney, as necessary; |
| 1.4.9 | Approving any request for a security clearance for access to classified information, using the <i>Request for Security Clearance</i> [HHS 207] form, prior to submitting it to the Director, OSDT; |
| 1.4.10 | Making sure that each employee subsequently granted a security clearance receives a briefing on security matters and that the signed SF 312 briefing form is forwarded to OSDT; |
| 1.4.11 | Maintaining signed copies of HHS 207 forms. Original HHS 207 forms are filed in the security file at OSDT; |
| 1.4.12 | Making certain that each individual having a security clearance is debriefed when access to classified information is no longer needed and that OSDT is promptly notified of this action; |
| 1.4.13 | Notifying OSDT in a timely manner when employees, contractors, consultants, or experts in National Security or high risk Public Trust positions leave HHS; |
| 1.4.14 | Providing to the Director, OSDT, any requested personnel security/suitability data and/or reports in a timely manner; |
| 1.4.15 | Ensuring that management officials are kept informed of pertinent personnel security/suitability matters and coordinating actions with the HRCs; and |
| 1.4.16 | Referring to the Director, OSDT, any developed unfavorable personnel security/suitability information on an employee, applicant, appointee, or contractor being considered for or occupying a National Security or high risk Public Trust position. |
| | |



1.5 The HRCs are responsible for:

(Note: procedures vary across the Department and that in some cases, responsibility may lie with the HRC while in others it may reside with OPDIV/STAFFDIV PSR.)

- 1.5.1 Making certain that correct position sensitivity designation level codes are shown on personnel and security forms;
- 1.5.2 Making sure that vacancy announcements indicate the level of background investigation required and the security clearance requirements (if applicable).
- 1.5.3 Making sure that investigative requirements for each position filled are met and that any required preinvestigation waiver has been approved;
- 1.5.4 Initiating required requests for National Agency Check and Inquiries (NACI) investigations and sending directly to OPM on all appointees to Non-Sensitive (Level 1) positions;
- 1.5.5 Making sure that the proper security questionnaire and fingerprint card are completed by any individual selected for a National Security or Public Trust position prior to forwarding them to the appropriate PSR with any other forms necessary for scheduling the background investigation;
- 1.5.6 Referring unfavorable personnel security and suitability information to the appropriate PSR, and coordinating actions with the office supervisor, OGC attorney, and Director, OSDT, as necessary;
- 1.5.7 Making certain that the decision to re-employ a person who resigned from another federal agency is based upon complete and pertinent personnel security information;
- 1.5.8 Assisting applicants, employees, contractors, consultants, experts, and supervisors in understanding and/or preparing any required personnel security questionnaires or forms;



| 1.5.9 | Fingerprinting, and reprinting when necessary, employees, contractors, consultants, or experts who require investigations; | |
|--------|--|--|
| 1.5.10 | Adjudicating the NACI reports of investigation on individuals in Non-Sensitive (Level 1) positions or handling other adjudication responsibilities delegated by the PSR; | |
| 1.5.11 | Making certain that the Certification of Investigation notice and any approved waiver form are filed in the OPF, when required; | |
| 1.5.12 | Taking appropriate action in cases of unfavorable suitability determination; | |
| 1.5.13 | Making sure individuals are removed from the rolls within 5 work days of the agency's final decision, if applicable; | |
| 1.5.14 | Notifying OSDT of the agency's final decision; and | |
| 1.5.15 | Making sure the OPM INV Form 79A is completed and returned to OPM within 90 days, if applicable. | |

1.6 The Immediate Supervisors are responsible for:

- 1.6.1 Making sure that employees promptly submit any required investigative forms to the appropriate PSR or HRC;
- 1.6.2 Providing promptly to the appropriate PSR or HRC acquired, unfavorable information regarding the conduct or behavior of a subordinate that indicates possible suitability or national security concerns; and
- 1.6.3 Making sure that positions under their purview are designated at the proper risk/sensitivity levels.



2.0 Position Risk/Sensitivity and National Security Positions - Guidance and Procedures

2.1 Position Risk/ Sensitivity Level Designation

There are three position risk/sensitivity designations (Non-Sensitive, National Security, and Public Trust) which correlate with six specific designation levels (Levels 1 through 6). Determining whether a position has specific national security or public trust responsibilities are the key to designating the position. This is because National Security positions are automatically designated one of three levels (2, 3, or 4), and Public Trust positions are designated as either Level 5 or 6. Without these special responsibilities, positions are designated as Non- Sensitive, which is Level 1 with potential for limited impact on an agency's mission or the efficiency of the services. These positions are also referred to as Low Risk Public Trust positions by OPM.

| Position Risk/Sensitivity Levels | | | |
|----------------------------------|-------------------|--------------|--|
| Non-Sensitive | National Security | Public Trust | |
| Loval 1 | Level 2 3 or 4 | Level 5 or 6 | |

Table 1. Position Risk/Sensitivity Levels

The easiest way to determine the risk/sensitivity level of a position is first to decide whether a security clearance is required of the incumbent. If the previous occupant of the position required access to classified national security information, then the position should be considered a National Security position. Second, determine the access level that a position requires. If no security clearance is required or anticipated, refer to section 2.5. If contractor personnel are placed in positions with sensitivity levels beyond a Level 1, follow appropriate procedures for that position as well as the procedures covered in section 3.6

2.2 Position Risk/Sensitivity Designation Documentation

Documentation of the rationale underlying designation decisions involving Public Trust positions must be retained for audit purposes. However, separate documentation is not needed for those "predesignated" as public trust if the incumbents are required to file annual financial disclosure reports. The



documentation can be a written statement explaining the reasoning for including a specific position, or group of positions, at a particular public trust level. For example, the documentation statement could say that all police officer positions, 083 series, are designated as Level 5 and, because of their unique law enforcement responsibilities, new police officers are subject to a Limited Background Investigation (LBI). The documentation for National Security positions is the HHS 207 form; therefore, further documentation is not needed.

The numerical designation level (1-6) is the coding to be used on all security questionnaires (Questionnaire for Non-Sensitive Positions Standard Form [SF 85], (Questionnaire for public trust positions Standard Form [SF 85P], and the Questionnaire for National Security Positions Standard Form [SF 86]) and on various personnel forms, (e.g., the Position Description Optional Form [OF 8], the Notification of Personnel Action Standard Form [SF 50], and the Request for Personnel Action Standard Form [SF 52]. This sensitivity code is also required to be shown for every employee in the HHS Enterprise Human Resources and Payroll Project (EHRPP). It is important to exercise good judgment, risk management decision-making skills, and consistency when designating position risk/sensitivity levels and when determining which optional investigation to request.

2.3 National Security Positions

At HHS, National Security positions are those in which the incumbent needs a security clearance for access to classified, national security information. These can be a variety of positions, but the key attribute is that the position requires the regular use of, or access to, classified information. If a security clearance is required, the sensitivity level and background investigation is as follows:

Table 2. National Security Positions

| NATIONAL SECURITY POSITIONS | | | |
|--|-----------------------------------|--------------------------------|--|
| Access Levels | Sensitivity Level | Minimum Investigation Required | |
| CONFIDENTIAL or SECRET | Level 2 Non-Critical Sensitive | ANACI | |
| TOP SECRET or Department of Energy (DOE's) Q | Level 3 Critical- Sensitive | SSBI* | |

| NATIONAL SECURITY POSITIONS | | |
|---|-------------------------------|--------------------------------|
| Access Levels | Sensitivity Level | Minimum Investigation Required |
| Special Access or Presidential Appointee | Level 4 Special- Sensitive | SSBI |

^{*} The investigation must be completed preappointment unless a waiver is approved. Preappointment requirement <u>cannot</u> be waived for <u>Level 4</u>.

Section 3.6 provides further guidance on contractor investigations.

2.4 Access to Classified Information

Whenever an employee or contractor requires access to classified national security information, the individual must be granted a security clearance at the proper level to access that information. The three security clearance levels are: Confidential, Secret, and Top Secret. The individual should request the clearance through his or her supervisor who must coordinate the request with the PSR. The HHS 207 form, must be completed and signed by the employee/contractor, the supervisor/recommending official, and the PSR. The HHS 207 form should be forwarded to the Director, OSDT, along with any forms needed for any required investigation.

A prerequisite to certification for access to classified information is completion of a favorable background investigation. The Director, OSDT, adjudicates the completed background investigation and forwards to the PSR any unfavorable information for a suitability determination prior to granting or denying the requested security clearance. The Director, OSDT, grants the clearance by signing the HHS 207 form and forwarding a copy to the PSR who requested the clearance action. The PSR assures that the individual is briefed about security requirements and signs the Classified Information Nondisclosure Agreement Standard Form (SF 312). The signed original HHS 207 form and SF 312 are maintained in the official security file at OSDT.

An interim security clearance can be granted to an individual for temporary eligibility for access to classified information prior to the completion and adjudication of the appropriate investigation. If there is a justifiable need for an interim clearance, the PSR, or other requesting official, must notify the Director, OSDT, who will assure that the minimum investigative standards (date of previous



investigation, scheduled Priority Investigation Request, and signed HHS 207 form) are met prior to granting the clearance.

Note that the interim clearance can be revoked at any time based on unfavorable information identified in the course of the investigation.

2.5 Public Trust Positions

National Security positions requiring security clearances are limited at HHS, but public trust responsibilities are much more prevalent and should be evaluated as the next step in the designation process. Although the public expects all federal employees to be trustworthy and honest, positions designated as Public Trust positions are those requiring a much higher degree of integrity with unwavering public confidence in the individual occupying the position. The sensitivity levels for Public Trust positions are as follows:

Table 3. Public Trust Risk Levels

| PUBLIC TRUST RISK LEVELS | | |
|------------------------------|---|--|
| Risk Levels | Minimum Investigation Required | |
| Moderate Risk Level 5 | NACIC (NACI + credit check) Minimum Background Investigation (MBI) LBI | |
| High Public Trust Level 6 | Background Investigation (BI) | |

Public Trust positions include those involving policymaking, major program responsibility, and law enforcement duties. Also included are those involving access to or control of unclassified sensitive, proprietary information, or financial records, and those with similar duties through which the incumbent can realize a significant personal gain or cause very serious damage.



Table 4. Public Trust Risk Levels

PREDESIGNATED LEVEL 5 PUBLIC TRUST POSITIONS

- Senior Executive Service (SES) Members
- Most Commissioned Corps Officers
- Administrative Law Judges
- Schedule C Appointees

- Employees required to complete OGE 450 and SF 278
- General Schedule (GS)-13 to GS-15
 Officials who are substantially involved
 in contracts, procurement, grants, or
 responsibilities involving a high risk for
 conflict of interest.

At HHS, many of the employees, contractors, consultants, and experts who have access to computer information systems should be in positions designated as Public Trust. The public and the Department are put at risk if the incumbent does not meet the high standards of integrity and confidence required of those in Public Trust positions. OPDIV and STAFFDIV management must decide which of their positions have these enhanced public trust responsibilities, and thus should be designated as Public Trust positions. Management must further decide the relative degree of risk, moderate or high, inherent in these Public Trust positions so that they can assign a designated sensitivity level of 5 for moderate risk, or level 6 for high risk.

To promote consistency, effectiveness, and ease of operation within the Department, some personnel security and ethics program designations are being linked. The ethics program regulations require that employees in specific designated positions file an annual *Public Financial Disclosure Report Standard Form* (SF 278) or an annual *Confidential Financial Disclosure Report* (OGE 450) to ensure confidence in the integrity of the federal government by demonstrating that they are able to carry out their duties without compromising the public trust. By definition, these designated filers of an annual financial disclosure report occupy Public Trust positions and, for personnel security purposes, their positions shall be designated as Public Trust position Level 5 or 6, unless they meet the criteria for a National Security position, as stated in section 2.3.

The ethics program designation should be used as the initial step in determining whether a position is a Public Trust position. If the incumbent of the position is required to file either annual financial disclosure report, then the incumbent is in a Public Trust position. The Department maintains lists of these designated positions and reviews them annually to assure that only positions that meet strict filing criteria are included. Although these positions are by definition "Public Trust positions," management still makes the most important personnel security decision in determining the relative risk level as either "moderate" or "high" (Level 5 or 6).



This is the most important decision because the background investigation required of these two levels differs considerably in coverage and cost.

The required investigation of most entrants into a Level 5 Public Trust position is minimal, usually nothing more than a credit bureau check in addition to the regular required NACI investigation preformed on new hires. However, the credit check provides much information to aid management in deciding whether there is a risk in placing the individual in a Public Trust position. The required BI on an individual in a Level 6 position is a costly one with several years of coverage. Public Trust positions, following the designation criteria in the ethics program guidance, include positions encumbered by the following officials: (not all-inclusive)

Table 5. Predesignated Level 6 Public Trust Positions

PREDESIGNATED LEVEL 6 PUBLIC TRUST POSITIONS

- OPDIV and STAFFDIV Heads
- Principal Deputy Assistant Secretarys
- Institute and Center Directors
 - Senior Information Systems Security Office

In addition to the "predesignated" Public Trust positions, others meeting the definition and criteria must be designated as either a Level 5 or 6 Public Trust position.

Table 6. Non-Predesignated Public Trust Positions

Non-Predesignated Public Trust Positions They should include positions having Access to sensitive, proprietary, or the following duties: financial information, including Law Enforcement; access through, and/or control Investigations; over, automated information Audit: systems (computer data systems); Security; Policymaking; Access to data covered by the Major program responsibility; Privacy Act.

In deciding if a Public Trust position has risks at the high level (6), remember that Level 6 requires a BI, and is best reserved for positions where information about the incumbent's entire background is very important, e.g., in law enforcement, investigator, and security positions. If in doubt, designate at Level 5, but require a LBI or another more thorough investigation above the minimum NACI and Credit.



2.6 Non-Sensitive Positions

The majority of HHS positions are Non-Sensitive (Level 1) because the mission of the Department involves mostly low risk, non-sensitive, and non-national security program responsibilities. After having considered national security and public trust responsibilities, those remaining positions are considered Non-Sensitive.

Table 7. Risk Levels

| RISK LEVEL | | |
|--------------------------|--|--|
| Risk Level | Minimum Investigation Required | |
| Non-Sensitive Level 1 | NACI (name, fingerprint checks, and written inquiries) | |

A Non-Sensitive position could move to a higher level if, for example, the incumbent suddenly needed a Secret security clearance for an assigned duty. In that case the position would temporarily move to Level 2 and the incumbent would have to meet the investigative requirements for the Secret clearance level. When a Secret level clearance was not needed later, the position would revert to a Non-Sensitive position (Level 1).

Another example of movement to a higher level of sensitivity could be if an employee in a Non-Sensitive position is given responsibility over a contract and is therefore required to file an annual financial disclosure report. At the time of the assignment of the additional financial responsibilities, the position would convert to a Public Trust position (probably Level 5). The employee would then need to meet Level 5 investigative requirements. In this example, the employee would need to complete the *Questionnaire for Public Trust Positions Standard Form* (SF 85P) and be subject to a credit check.

3.0 Investigation Requirements

All employees, intermittent, seasonal, per-diem, and temporary workers in either a single continuous or series of appointments are required to have the appropriate investigation in accordance to the risk/sensitivity level of the position. The background investigation requirements for the various position levels are as follows:

Table 8. Investigation Requirements

| Investigation Requirements | | |
|---|---|--|
| Risk/Sensitivity Level | Minimum Investigation Required | |
| NON- SENSITIVE • Level 1 | NACI (name & fingerprint checks & written inquiries) | |
| NATIONAL SECURITY Level 2 (Confidential or Secret clearance) Level 3 (Top Secret Clearance) | ANACI employees NACLC contractors, consultants, and experts SSBI* | |
| Level 4 (Top Secret Clearance) | • SSBI | |
| PUBLIC TRUST • Level 5 (Moderate Risk) | NACI + credit check** MBI LBI | |
| Level 6 (High Risk) | BI (Background Investigation)* | |

^{*} The investigation must be completed preappointment, unless a waiver is approved. The preappointment requirement <u>cannot</u> be waived for <u>Level 4.</u>

Refer to Appendix B for further description of the types of investigations.

^{**} An MBI or LBI should be requested for specific Level 5 positions (e.g., law enforcement, audit, security, and non-career appointee positions) that are at a high risk level, but are just under the Level 6 designation. These optional investigations provide more depth of coverage at an increased cost.



3.1 Waivers

Special circumstances may require immediate action to employ an applicant or move an employee into a position designated as sensitive National Security (Level 3) or high risk Public Trust (Level 6). The situation may not permit sufficient time to complete the required pre-appointment investigation, so a request for a waiver of that requirement may be made. (Waiver of the pre-appointment investigation is not permitted for Level 4 positions since they are usually Presidential appointee positions, which require an FBI investigation prior to the Senate confirmation process).

- 3.1.1 When the head of an OPDIV or STAFFDIV, or a designated key official, believes an emergency exists, that official shall submit a written waiver request (see an example in Appendix A) to the Director, OSDT. A waiver request must contain a brief statement of the reasons that constitute the conditions of the "emergency" as they relate to the national interest and the mission of the Department, and a statement explaining that the nature of the "emergency" precludes the opportunity for a delay to conduct the required preemployment investigation.
- 3.1.2 All security forms for the required investigation must be submitted with the waiver request. If extenuating circumstances prevent this, the forms must be expeditiously forwarded to the Director, OSDT, so that the investigation can be initiated within 14 days of placement. However, a current completed SF 86 or 85P is an investigative tool used in the waiver approval process and must be received and reviewed before the waiver is presented for approval. The waiver request action should be coordinated by the PSR.
- For each waiver request, name checks are made to OPM and the FBI, or other sources by OSDT or designated officials. If checks and review of the SF 86/85P are favorable, the waiver will be approved and the original will be returned for placement in the employee's OPF. If other than favorable information is developed during the waiver process, the waiver request may be disapproved and a preappointment investigation may be requested.



3.1.4 A waiver is required for non-career SES and Schedule C appointments.

3.2 Special Agreement Checks (SAC)

OPM can establish a Special Agreement Checks (SAC) with HHS to conduct specific records checks on individuals who need them to meet higher sensitivity levels. For example, in order to meet the NACIC requirement when an individual is moving from a Non-Sensitive (Level 1) position to a moderate risk Public Trust (Level 5) position, only a credit and record check can be requested.

The SAC will consist of record checks only and requests for SAC agreements must be discussed, with and approved by, the Director, OSDT.

3.3 Prior Investigation

When an individual has been subject to a previous favorable background investigation and there has been no break in federal service or all service within last 5 years has been with a company with a facility clearance, it may not be necessary to request a new or update investigation unless forms identify issues not addressed in the most recent investigation that require additional investigation work. A check of the individual's OPF, the *Request for Preliminary Employment Data Standard Form* (SF 75), or an OPM name check through OPM's Personnel Investigations Processing System (PIPS) and Defense Investigative System (DIS) should show if the individual was previously investigated and the date and type of investigation. If investigation requirements have been met on an individual moving into a Public Trust or National Security position, the PSR or HRC representative must notify OSDT of the date and type of the previous investigation. If a security clearance is required, the HHS 207, SF 86C and the most recent SF 86 must be forwarded to OSDT. Investigative requirements are determined by OPM and OSDT provides guidance.

3.4 Scheduling the Investigation

The required investigation must be initiated within 14 days of placement unless there is a preappointment investigation requirement. When a waiver to that preappointment requirement is being requested for Levels 3 and 6, the completed investigation questionnaire (SF 86 or 85P) must accompany the request.

If the sensitivity level of an occupied position changes due to realignment of duties or a requirement for a security clearance, an incumbent may remain in the position,



but any investigation required by the new risk/sensitivity level must be initiated within 14 working days.

OPM requires one of three completed security questionnaires for scheduling most of its investigations. Note that an individual is to complete the questionnaire only after a conditional offer of employment has been made. The three questionnaires are:

Table 9. Security Questionnaires

| | SECURITY QUESTIONNAIRES | ROUTING PATHWAY |
|---|--|---|
| • | SF 85 (Questionnaire for Non-Sensitive Positions) NACI - Level 1 | Completed form(signed by PSR) to be forwarded to OPM by the HRC to request NACI investigations on Level 1 positions. |
| • | SF 85P (Questionnaire for Public Trust Positions) - MBI, LBI, BI - Level 5 and 6 | Completed form to be forwarded to OSDT by PSR to request investigations for Levels 5 or 6 Note that the SF 85P-S (Supplemental Questionnaire for Selected Positions) is required to be completed by individuals going into law enforcement or security guard positions and is to be attached to the SF 85P. OSDT coordinates with PSRs in determining whether to require this form for other selected positions. |
| • | SF 85P - NACI+C | Forward only Page 1 of SF 85P to OSDT For moderate risk Level 5 positions requiring only a NACIC investigation, the PSR forwards the SF 85P and other investigative forms (see below) directly to OPM. HHS Credit Release should be maintained by PSR. OPDIV/STAFFDIV PSRs should use their own assigned Security Office Identifier (SOI) code on the SF 85P (not HE00, which is assigned to the Office of the Secretary and OSDT) to ensure that OPM returns the completed investigation directly to them. |

| | SECURITY QUESTIONNAIRES | ROUTING PATHWAY |
|----|---|--|
| II | SF 86 (Questionnaire for National Security Positions) | Completed form (signed by PSR) forwarded to OSDT to request background investigations or reinvestigations for Levels 2, 3, or 4. The SF 86A (Continuation Sheet for |
| | | Questionnaires SF 86, 85P and SF 85) is to be used if additional space is needed for residence, education, and employment activities. |

Reference can be made to OPM's handbook *Requesting OPM Personnel Investigations*, IS-15, May 2001, provides guidance and instructions for completing Part I "Agency Use Only Block" on the SFs 85, 85P and 86.

In addition to the Waiver, if required, and cover memo, the complete investigation request package for OSDT consists of the following:

Table 10. Investigation Request Package

| Investigation Request Package | | | |
|---|---|---|---|
| | Non-Sensitive Position | National Security Sensitive Position | Public Trust Position |
| New Federal Appointment Action Employee (If no record of required investigation) | SF 85 - Original SF 87 OF 306 Application/Resume | SF 86 - Original + copy SF 87 OF 306 Application/Resume HHS 207 HHS Credit Release | SF 85P - Original+ copy SF 85P-S* SF 87 OF 306 HHS Credit Release Resume |
| Contractor | SF 85 - Original FD 258 OF 306 (dated 1/01)* | | SF 85P - Original + copy FD 258 HHS credit Release OF 306 (dated 1/01)** |
| Reinvestigation | | SF 86 - Original + copy SF 87(if requested) HHS Credit Release | |

| Investigation Request Package | | | |
|-----------------------------------|---------------------------|---|---|
| | Non-Sensitive Position | National Security Sensitive Position | Public Trust Position |
| Update & Upgrade Investigation | Not Applicable | SF 86 - Original + copy SF 87 (if requested) HHS Credit release | SF 85P - Original + copy OF 306 SF 87 or FD 258 (Contractor) |

Note: Electronic fingerprint submission is identified by a Code of "I" in Part I of the Codes Block on the SFs 85, 85P and 86.

*Note that the SF 85P-S (Supplemental Questionnaire for Selected Positions) is required to be completed by individuals going into law enforcement or security guard positions and is to be attached to the SF 85P. OSDT coordinates with PSRs in determining whether to require this form for other selected positions.

**When only the September 1994 version of the *Federal Employment Application, Optional Form* [OF 306] is available, complete items 1, 2, 7 through 12, 15, and 16a.

Information on the questionnaires should be completed by the individual whose job responsibilities and position requires the investigation. To avoid unnecessary delays in initiating investigations, sometimes it is necessary for the PSRs or the OSDT staff to amend or complete certain items prior to forwarding the forms to OPM. OPM has created the *Certification of Amended Investigative Form* [FIPC 391], which should be completed and forwarded to OPM by the person amending the questionnaire when the subject is unable to make the changes personally. Any changes or additions must be consistent with subject's wishes and intent. OPM has a list of critical items on the three investigative forms that must be amended only by the subject.

All investigative questionnaire forms must reach OPM within 120 days of subject's signature and date.

3.5 Reinvestigation Requirements

The incumbents of all positions for which access to Top Secret information has been granted must be subject to a SSBI-Periodic Reinvestigation (SSBI-PR) every five (5) years after the initial SSBI. Incumbents of all positions for which access to Secret information has been granted must be subject to a NACLC every ten (10) years



after the initial investigation. The NACLC reinvestigation requirement for those with Confidential clearances is every fifteen (15) years.

The chart below shows the risk/sensitivity clearance level and the required reinvestigation:

Table 11. Risk/Sensitivity Clearance Level And Reinvestigations

| Position RISK/Sensitivity Level | REINVESTIGATION REQUIREMENT |
|---|-----------------------------|
| Levels 5 and 6 Public Trust | None |
| Levels 3 and 4 with Top Secret Clearance | SSBI-PR (every 5 years) |
| Level 2 with Secret Clearance | NACLC (every 10 years) |
| Level 2 with Confidential Clearance | NACLC (every 15 years) |
| Level 1 Non-Sensitive | None |

Requests for reinvestigations are forwarded to the Director, OSDT. A more extensive investigation than the required one may be requested and scheduled when justified

3.6 Contractor Investigations

All contractors, consultants, and experts are required to have a suitability determination conducted. If the contractor, consultant, or expert has a sponsoring private organization or are part of a contract requiring access to national security information in performing work for HHS, he or she must follow the National Industrial Security Program Operating Manual (NISPOM) guidance and must go through the Department of Defense to be granted a security clearance.

In accordance with departmental policy, individuals without a sponsoring organization are also required to have a suitability determination and should follow the same policies and procedures as federal employees and will be cleared by OSDT. Coordinate with the servicing PSR for the submission of the appropriate documentation. The *HHS National Security Manual*, Chapter 12 on contractor investigations provides additional guidance.



3.7 Child Care Provider Positions

All incumbents of child care provider positions, including contractors, must meet the investigative requirements of the *Crime Control Act of 1990* [Public Law (PL) 101-647], Section 231, "*Child Care Worker Employee Background Checks*," as amended by the *National Defense Act for Fiscal Years 1992 & 1993* [PL 102-190]. The minimum required investigation is a NACI supplemented by state criminal history checks. OPM provides a specific investigation, a CNACI, which must be requested on individuals moving into child care provider positions. The investigation can be conducted post-appointment if the individual to be investigated is under the supervision and in sight of a previously investigated staff person anytime children are in the care of the newly hired individual.

The CNACI will also usually meet most investigative requirements of the *Indian Child Protection and Family Violence Prevention Act of 1990* [PL 101-630], Section 408, "Character Investigations," which covers individuals in positions requiring regular contact with, or control over, Indian children. Most of these covered positions are also covered under the child care provider investigation requirement. The Indian Health Service PSR provides guidance regarding these positions and the investigative requirements of PL 101-630.

3.8 Quality/Process Assurance

The Director, OSDT, and each PSR must assure that the analysis of background investigative information, the subsequent suitability/security determination, and the handling of the investigative reports follow the requirements, criteria, and standards in 5 CFR Parts 731, 732, and 736, and in EO 10450.

All pertinent information obtained from investigative reports, personnel records, responses to written inquiries, medical fitness records, personal or subject interviews, or any other sources, must be considered in reaching suitability/security determinations. Due process procedures must be followed when making an unfavorable determination.



4.0 Suitability Determinations

The "suitability" or "fitness" decision is arrived at by a process that involves the following actions:

4.1 OPDIV or STAFFDIV

They assign a sensitivity level to the position to be encumbered by an applicant, employee, or contractor.

4.2 OPM or Another Federal Investigative Agency

They conduct a personnel background investigation as a prerequisite to determining whether the individual is suitable for employment for a specific position. The scope and coverage area of the investigation is determined by the sensitivity level assigned to the position. The investigation is designed to reveal pertinent facts, past and present, about the character, (e.g., honesty, trustworthiness, reputation) of the applicant, employee, or contractor.

4.3 OPM

OPM forwards the results of the background investigation to the security official whose name and address are obtained by using the SOI code. The SOI code is reflected in Part I of the security questionnaire and was entered there by whomever originally scheduled the investigation.

The SOI contact official, usually the PSR, adjudicates the suitability of the individual after reviewing the investigative materials provided, or requests additional investigative information, requires the subject to provide more information or data necessary to permit adjudication.

4.4 PSR

The PSR may also forward the investigative materials to the HRC, or other designated official, for adjudication.



4.5 OSDT

OPM forwards the investigation reports conducted on individuals in all National Security and High Risk Public Trust positions to OSDT. OSDT reviews those reports and certifies the suitability of that person if the completed background investigation is favorable.

4.6 Unfavorable Information

When the investigation report reveals unfavorable information, OSDT (a) requires the appropriate PSR to provide any additional data necessary to permit adjudication by OSDT, or (b) requests the PSR to adjudicate the suitability of that person and, if necessary, coordinate the adjudication with OSDT.

4.7 The Criteria

The criteria to use in making a suitability decision, including the specific factors to consider as a basis for finding an individual unsuitable for federal employment, are found in 5 CFR Part 731.

4.8 The Adjudicative Process

The adjudicative process is the careful weighing of a number of variables known as the whole person concept. Available, reliable information about the person, past and present, favorable and unfavorable, should be considered in reaching a determination. The final suitability determination should be based on good judgement and common sense after consideration of all these variables.

4.9 The Adjudicator

In serious issue cases, the adjudicator should consider the following factors, in addition to those in 5 CFR Part 731, when determining whether the person:

- 4.9.1 Voluntarily reported the unfavorable information;
- 4.9.2 Was truthful and complete in responding to questions;
- 4.9.3 Sought assistance and followed professional guidance, where appropriate;



- 4.9.4 Resolved or appears likely to resolve the suitability concern favorably, (e.g., credit problems); and
- 4.9.5 Has demonstrated positive changes in behavior and employment.

4.10 Due Process Procedures

Due process channels must be followed when there is an unfavorable determination. Guidance should be obtained from OGC and the Employee and Labor Relations staff. In most cases where there are suitability/security issues involved, the individual should be interviewed and given an opportunity to voluntarily, or by request, clarify issues and enter into the record supporting documentary evidence (e.g. arrest disposition and credit record information). If the investigative findings and individual response (s) support action by the agency, all materials relied upon should be forwarded to the Employee and Labor Relations staff for appropriate action.

If the determination is actionable, Employee and Labor Relations will prepare a proposed action based on the investigative findings and documentary evidence. The proposed action will identify an appropriate amount of time for the individual to respond to the charges. The individual will remain in a pay status during the notice period.

Following the reply period, Employee and Labor Relations will issue a written decision informing the individual of the reasons for its decision and any appeal rights.

Removals shall be effective within 5 workdays of the agency's notice of decision in accordance with 5 CFR 731. Accordingly, Employee and Labor Relations will complete the OPM INV Form 79 and return it to OPM citing the agency decision. A copy will also be provided to OSDT.

4.11 OPM INV Form 79A Report of Agency Adjudicative Action

The OPM INV Form 79A accompanies the case closing transmittal in most investigations that are closed completely. The PSR, or other designated official, is responsible for reporting final adjudication action to OPM within 90 days. When reporting the final adjudication action, complete the OPM INV Form 79A if required, and return the original to OPM-FIPC, P.O. Box 618, Boyers, PA 16018.



Note: If reports of investigations were forwarded for adjudication by the Director, OSDT, forward a copy of the OPM INV Form 79A to OSDT.



5.0 Security Briefings

PSRs must assure that each employee and contractor who has been granted a security clearance receives briefings on security matters. Briefers should be familiar with the *HHS National Security Information Manual* and use it as a reference guide.

5.1 National Security Briefings

Initial security briefings must be conducted to inform individuals of the inherent responsibilities and proper procedures for handling and safeguarding classified information. This briefing must occur prior to the individual being given access to such information. During the briefing the individual should be given the security education briefing materials furnished by the Director, OSDT.

At the completion of initial security briefing, the employee or contractor is required to sign an SF 312 and forward it to the Director, OSDT for retention.

5.2 Refresher Briefings

Refresher briefings must be given on a regular basis by PSRs to all individuals who have security clearances. They must be briefed on their continuing responsibilities for safeguarding classified information and on any new security regulations or procedures. Refresher briefings may be in oral, written, or electronic format. PSRs must maintain records to show that this requirement was met.

5.3 Security Debriefings

Security debriefings must be given to all individuals upon termination of their security clearances. They shall be advised of their continuing responsibility for protecting the classified information to which they had access. Upon completion of the debriefing, the formerly-cleared individual and a witness must sign the bottom half of the SF 312 labeled "Security Debriefing Acknowledgment". The SF 312 must be forwarded to the Director, OSDT for retention.



6.0 Clearance Terminations, Downgrades, and Denials

A PSR in coordination with the immediate supervisor and the Director, OSDT may determine that a currently cleared individual no longer has a need for a security clearance. That determination is a discretionary one and the decision of the Director, OSDT is conclusive. Upon written notice to the individual, the PSR may administratively terminate, or downgrade, the security clearance in the following manner:

6.1 No Longer Requires Access

When it has been determined that a cleared individual no longer requires access to classified information, the security clearance must be administratively withdrawn by the appropriate PSR. The lower portion of the SF 312 must be completed and signed by the formerly-cleared individual and a witness. The PSR should annotate it to show that the action was administrative and without prejudice to the individual's future eligibility for access to classified information. The individual should be given a copy of the SF 312. The original must be immediately forwarded to the Director, OSDT.

6.2 Downgrade

When the individual no longer requires access to a particular security clearance level, the PSR must annotate the new, lower level on a copy of the current HHS 207 form or prepare a new one showing the new requested level. This downgrading action on the HHS 207 form must be dated and signed by the appropriate PSR and immediately forwarded to the Director, OSDT with a copy going to the subject.

6.3 Denials

Individuals who are being denied a security clearance or having their clearance revoked because they do not meet access eligibility standards, must be given specific appeal rights, as stipulated in EO 12968, Section 5.2, *Review Proceedings for Denials or Revocation of Eligibility for Access.* The Director, OSDT will coordinate the appeal process.



7.0 Safeguarding and Handling Investigative Reports

Personnel investigative reports and records must be safeguarded with the highest degree of discretion to protect the interests of the individual and the Department. Therefore, there are strict requirements for the control of investigative information and they are contained in *HHS Personnel Instruction 731-1*. Listed below are additional procedures:

7.1 Favorable Background Investigation

All HHS officials, including PSRs, who review or store investigative reports and related information must have a favorable determination based on a background investigation that meets their sensitivity level. (Note: the minimum sensitivity level for those with these duties is Level 5, making this a moderate Public Trust position and requiring the incumbent to be subject to a NACIC investigation).

7.2 Investigation Reports

Copies of investigation reports, in whole or in part, must be controlled, safeguarded, and destroyed when the intended purpose has been served.

7.3 Mail Transmission of Investigation Reports

When personnel security/suitability investigation reports, including arrest records and related adjudication materials are transmitted by mail, the addressee on the envelope must be the designated HHS official. Additionally, the envelope must bear the notation: "TO BE OPENED BY ADDRESSEE ONLY".

7.4 Storage of Investigation Reports

When not in use, personnel security investigation reports and related adjudication materials must be stored in a combination-locked cabinet or safe, or in an equally secure area.

Access to the container/area must be limited to authorized HHS officials, but they must not have access to their own investigative files.



7.5 Adjudication and Destruction of Reports

All reports of investigation must be adjudicated within 90 days after receipt by the PSR. All copies of investigation reports (including vouchers) received by the PSR or HRC must be destroyed within 60 days after the date of a favorable adjudication and must never be filed in the employee's OPF or forwarded to a contractor.

In cases involving a proposed adverse action, the investigation reports may be destroyed 2 years after the date of final decision.

APPENDIX A - WAIVER EXAMPLE

MEMORANDUM TO: Director, Office of Security

and Drug Testing (OSDT)

FROM: <Management Official>

<OPDIV/STAFFDIV>

SUBJECT: Waiver of Preappointment Investigation on

< Ima Niceguy>

Executive Order 10450 provides that, in case of an emergency, a person may be appointed to a sensitive position for a limited period prior to completion of a background investigation, if such action is necessary in the national interest.

To insure that agency objectives and activities are continued without undue interruption, I am requesting a waiver of the preappointment investigation requirement on <Ima Niceguy>.

<Mr. Niceguy> has been selected for the position of <Special Assistant to the Assistant Secretary>. The expeditious filling of this position is critical to our mission.

<Ima Niceguy> will be responsible for a wide range of activities, including handling questions of a sensitive policy nature. Access to classified national security information is not required at this time and will be denied, unless subsequently a request for a security clearance is requested and approved.

Accordingly, I request your concurrence that an emergency situation exists and it is in the national interest to waive the preappointment investigation requirement.

| Approved | | Date | |
|----------|----------------------|------|--|
| | Authorizing Official | | |

Attachments: SF 85P or SF 86 SF 87 or FD 258 Resume HHS Credit Release OF 306

APPENDIX B - Descriptions of Investigation Types

Described below are some of the types of investigations offered and conducted by OPM and its privatized contractor, the U.S. Investigations Services, Inc.

| | Investigation Types |
|---|--|
| National Agency Check (NAC) | An integral part of all background investigations, the NAC consists of searches of OPM's Security/Suitability Investigations Index (SII); the Defense Clearance and Investigations Index (DCII); the Federal Bureau of Investigation (FBI) Identification Division's name and fingerprint files, and other files or indices when necessary. |
| National Agency Check and Inquiries (NACI) | This is the basic and minimum investigation required on all new federal employees. It consists of a NAC with written inquiries and searches of records covering specific areas of a person's background during the past five years. Those inquiries are sent to current and past employers, schools attended, references, and local law enforcement authorities. |
| NACI and Credit (NACIC) | This NACI includes the addition of a credit record search and is the minimum investigation for those going into moderate risk Public Trust positions (Level 5). |
| Access NACI (ANACI) | This is an investigation designed as the required initial investigation for federal employees who will need access to classified national security information at the Confidential or Secret level. The ANACI includes NACI and Credit coverage with additional local law enforcement agency checks. |
| Child Care NACI (CNACI) | OPM has an agreement with HHS to conduct this enhanced NACI that includes a search of records of state criminal history repositories of the state where the subject resides. This investigation is designed to meet special investigation requirements for those who are in child care provider positions. |



| | Investigation Types |
|--|--|
| NAC with Local Agency Check and Credit (NACLC) | This is an investigation which is the same as the ANACI without the written inquiries to past employers, schools attended, etc. It is designed as the initial investigation for contractors, consultants, and experts at the Confidential and Secret national security access levels. The NACLC also is to be used to meet the reinvestigation requirement for all individuals (including contractors, consultants, and experts) who have Confidential or Secret clearances. |
| Minimum Background Investigation (MBI) | This investigation includes a NACI, a credit record search, a face-to-face personal interview between the investigator and the subject, and telephone inquiries to selected employers. The MBI is an enhanced version of the NACIC and can be used for selected Public Trust positions. |
| Limited Background Investigation (LBI) | This investigation consists of a NACI, credit search, personal subject interview, and personal interviews by an investigator of subject's background during the most recent three years. |
| Background Investigation (BI) | This is a more in depth version of the LBI since the personal investigation coverage is the most recent five to seven years. This investigation is required of those going into highest risk Public Trust positions (Level 6). |
| Single Scope Background Investigation (SSBI) | This is the government-wide investigation required of those who need access to Top Secret classified national security information. This background investigation covers the past ten years of the subject's activities (or to age 18, whichever is less). It includes verification of citizenship and date and place of birth, as well as national agency records checks on the subject's spouse or cohabitant, and interviews with selected references and former spouses. |
| SSBI-Periodic Reinvestigation (SSBI- PR) | This is the required five year update investigation for those who have Top Secret security clearances. It consists of personal investigative coverage of employments and residences since the previous investigation, including interviews with all former spouses divorced during the coverage period. A search of the Treasury Department's financial database is also to be included. |

Appendix C - Terms And Definitions

| TERMS AN | ID DEFII | VITIONS |
|----------|----------|---------|
|----------|----------|---------|

Applicant A person being considered for employment

Appointee A person who has entered on duty and is in the first year of a

subject to investigation appointment.

Background Investigation A personnel security investigation conducted by written or telephone inquiries or through personal contacts to determine the suitability, eligibility, or qualifications of individuals for Federal employment, for work on Federal contracts, or for access

to classified information or restricted areas.

Classified Information National security information that is so designated pursuant to

the three levels of classification as defined in Executive Order 12958, as amended, classified national security Information, and

referred to as Top Secret, Secret, or Confidential.

Contractor Any individual (industrial, commercial, or other entity) who has

executed a contract with the Department (or one of its

components) for the purpose of performing work in support of Departmental goals, objectives, programs, and/or services. In determining whether a contractor is subject to investigative requirements, a contractor in most cases will either work in HHS-owned or leased space, or will have access to HHS equipment or protected data. A contractor also can be a subcontractor to a

HHS contractor.

Credit Check This is an automated credit record search conducted through

various major credit bureaus. It is included in most background investigations except the basic National Agency Check and Inquiries investigation required of employees entering Non-

Sensitive (Level 1) positions.

Employee A person who has completed the first year of a subject to

investigation appointment.

Information System Any organized collection, processing, transmission, and

dissemination of information in an automated format. Also referred to as a computer or Automated Data Processing system.

Material A "material" statement is one that is capable of influencing or has

a natural tendency to affect an official decision.



| Terms And Definitions | | | |
|-----------------------------------|---|--|--|
| National Security Positions | Sensitive positions (designated as Level 2, 3, or 4) in which the incumbent's duties and/or responsibilities involve access to classified information or other restricted information relating to the security of our nation. | | |
| Non-Sensitive Positions | Positions (designated as Level 1) which are neither Public Trust nor National Security positions. | | |
| Position Sensitivity | The degree of risk and level of relative importance assigned to a specific position. | | |
| Public Trust Positions | Positions (designated as Level 5 or 6) in which the incumbent's actions or inactions could diminish public confidence in the integrity, efficiency, or effectiveness of assigned Government activities, whether or not actual damage occurs; and positions in that the incumbents are being entrusted with control over information which the Department has legal or contractual obligations not to divulge. | | |
| Security Clearance | An administrative determination based the results of a favorably adjudicated background investigation that an individual is trustworthy and may be granted access to a specified level of classified national security information, as required in the performance of assigned duties. | | |
| Special Agreement Checks (SAC) | A special agreement between the Office of Personnel Management's Office of Federal Investigations (OPM/OFI) and a department or agency which provides information for OPM/OFI to conduct special specific record checks at nominal cost. | | |
| Suitability | General fitness or eligibility for federal employment. | | |



Appendix D - Acronyms

ACRONYMS

ANACI Access National Agency Check and Inquiries

BI Background Investigation

CFR Code of Federal Regulations

CNACI Child Care National Agency Check and Inquiries

DCII Defense Clearance and Investigations Index

DOE Department of Energy

EO Executive Order

FBI Federal Bureau of Investigation

FD-258 Contractor fingerprint card

FIPC 391 Certification of Amended Investigative Form

GS General Schedule

HHS Health and Human Services

HRC Human Resource Centers

HHS 207 Request for Security Clearance Form

LBI Limited Background Investigation

MBI Minimum Background Investigation

NAC National Agency Check

NACI National Agency Check and Inquiries

NACIC National Agency Check, Inquiries, and Credit

NACLC National Agency Check with Local Agency Check and Credit

NISPOM National Industrial Security Program Operating Manual

OF 8 Position Description Optional Form

OF 306 Federal Employment Application, Optional Form

OGC Office of General Counsel



ACRONYMS

OGE 450 Confidential Financial Disclosure Report

OPDIV Operating Division

OPF Official Personnel Folder

OPM Office of Personnel Management

OPM INV Form 79A Report of Agency Adjudicative Action

OSDT Office of Security and Drug Testing

PIPS Personnel Investigations Processing System

PL Public Law

PL 101-630 The Indian Child Protection and Family Violence Prevention Act of 1990

PL 101-647 The Crime Control Act of 1990

PL 102-190 National Defense Act for Fiscal Years 1992 & 1993

PSR Personnel Security Representative

SAC Special Agreement Checks

SES Senior Executive Service

SF 50 Notification of Personnel Action Standard Form

SF 52 Request for Personnel Action Standard Form

SF 75 Request for Preliminary Employment Data Standard Form

SF 85 Questionnaire for Non-Sensitive Positions Standard Form

SF 85P Questionnaire for Public Trust Positions Standard Form

SF 85P-S Supplemental Questionnaire for Selected Positions

SF 86 Questionnaire for National Security Positions Standard Form

SF 87 Employee fingerprint card

SF 278 Public Financial Disclosure Report Standard Form

SF 312 Classified Information Nondisclosure Agreement Standard Form

SII Security/Suitability Investigations Index



ACRONYMS

SOI Security Office Identifier

SON Submitting Office Number

SSBI Single Scope Background Investigation

SSBI-PR Single Scope Background Investigation-Periodic Reinvestigation

STAFFDIV Staff Divisions